

**MINUTES**  
**HISTORIC PRESERVATION COMMISSION**  
**Monday, December 14, 2015**  
**City Hall, Room 210**  
**4:00 p.m.**

**MEMBERS PRESENT:** Chairperson Ald. Mark Steuer, Roger Retzlaff, Jeanine Mead, Susan Ley, Dave Boyce, Dennis Doucette

**ALSO PRESENT:** Jason Flatt, Christian Lindberg, Neng Ywe Kong, Cheryl Renier- Wigg, Wendy Townsend, Bill Meindl, Jim O'Rourke, Assistant City Attorney Joe Faulds

**APPROVAL OF MINUTES:**

Approve November 9, 2015 Minutes

A motion was made by D. Boyce and seconded by S. Ley to approve the minutes for November 9, 2015. All in favor. Motion carried.

**APPROVAL OF AGENDA:**

Modify and adopt agenda

A motion was made by R. Retzlaff and seconded by S. Ley to approve the agenda. All in favor. Motion carried.

**COMMUNICATIONS:**

None

**DESIGN REVIEWS:**

1. Review and discuss building permit for 840 Shawano Ave.

Christian Lindberg, 2502 Sun Terrace, stated he will be working on the project and provided a description. There is a staircase that is rotting away. The plan is to tear it down and put a new one up with treated lumber. It will be very similar to what is currently there, with only a slight difference. A photo was provided of the back of the building. The stairs to the upper will have the same configuration using the same rungs that it has now.

Ald. Steuer asked if any other research was done on this to come up with another design. C. Lindberg stated the design fits the area. A point to note is that the baluster pattern is changed and that's to accommodate building code.

Ald. Steuer asked if there is anything with AODA to worry about.

C. Lindberg stated this was probably originally a single family house which was converted to a two-family, so there wouldn't have originally been a second, upper story exit stair. This was added at the time of conversion.

Ald. Steuer asked if Christian Lindberg's name is on the building permit. C. Lindberg stated it will be Dan VanStraten on the permit.

A motion was made by R. Retzlaff and seconded by J. Mead to approve the permit. All in favor. Motion carried.

2. Review and discuss building permit for 706 S. Jefferson St.

Neng Ywe Kong, 706 S. Jefferson Street, was present. He stated that he wants to fence his back yard. A map was provided showing the proposed fence location. The fence will be 6 ft. tall and constructed with wood. He will do the work himself. The material was purchased from Home Depot and the boards are solid 2x4 with the horizontals on his side of the property. The neighbor already has a 3 ft. tall cyclone fence. The pole must stay on the neighbor's side and he will put the nice side of the fence facing the neighbor.

It was clarified that the fence can be right on the lot line. The fence will be tight together with the neighbor's fence. A picture of the house was reviewed. Ald. Steuer indicated the parcel is 165 ft. wide and it looks like the fence will be close to 100 ft. and then the back fence will be 60 ft. The fence will be 6 ft. high all the way around.

D. Boyce questioned if the fence would be painted or be natural wood. N. Kong indicated it will stay natural wood and age naturally.

A motion was made by D. Boyce and seconded by D. Doucette to approve the permit. All in favor. Motion carried.

**CONTINUING BUSINESS:**

3. Discussion on the Observation Report for 412-414 N. Maple Ave. This report is being presented at the Economic Development Authority Meeting on December 9, 2015.

Ald. Steuer, Jason Flatt, James Hayward, Nick Backhouse from Heritage Hill, and Don Kraft took a walkthrough of 412-414 Maple Ave. on November 5, 2015. A summary report of their observations and recommendations was reviewed. The summary report contains observations consistent with Fort Howard construction, observations that are not consistent with Fort Howard construction, observations indicative of mid 19<sup>th</sup> century construction, and recommendations for additional investigation (copy of summary report attached).

Ald. Steuer stated the participants had floor plan drawings contained in Record Group 92 at the National Archives in Washington D.C. On direct restoration experience, the participants had experience with three existing original Fort Howard buildings which were listed on the National Register of Historic Places. All three are now at Heritage Hill. This is the last building that we know of that is an original Fort building that is still in the City of Green Bay limits. Since 1866 it has been at its present location. The push from Ald. Zima and Jim Sanderson, a citizen, was to look at the possibility of moving this building to the Larsen Green site or somewhere near where its original location would be and possibly make it a resource center, museum, or some kind of building that would talk about the history of that area.

Ald. Steuer went to the Fort Howard Neighborhood Association meeting last month and the tenor of that group was to keep the building located where it currently is.

The summary report notes that while the walkthrough did not reveal any conclusive confirmation of the original building use, it did reveal enough consistency with Fort Howard construction to warrant further investigation, hopefully eventually leading to the preparation of a National Register nomination and a Historic Structure Report.

Ald. Steuer feels the building was a Fort building and discussion is needed on whether to keep it where it is or to consider moving it.

Jason Flatt provided an overview of a report he put together which focused primarily on the economic side of purchasing, relocating, and rehabilitating the structure. The idea of moving this building is not a new idea. There is an artist concept sketch from 2003 showing this building potentially relocated to Leicht Park. He reviewed the historic context of the building, roughly when it was built in the 1830's to being moved following the Civil War, a little bit about the specific building history, and how far it has been moved (maybe about ¼ mile from its approximate location). The building is historically significant both as the last building in Green Bay that can be traced to the Fort Howard group of structures and it's also significant as a 19<sup>th</sup> and 20<sup>th</sup> century multi-family housing unit. It was at its original site for about 30 years; it's been at its current second site for about 150 years. Any proposal to move it has been referred to returning it to its original site, but that is not entirely accurate as we would be putting it at a third new site, which is perhaps closer to the first site. Without any investigation or survey work to identify definitively where the first site was, all talk has been about putting it on Donald Driver Way just for the convenience approximation of where it once was.

He provided an assessment report which includes fair market value and building size (4,116 square feet). He identified an estimated purchase price based on the current owner input saying that he would like the total assessed value plus one year's rent, which adds up to just shy of \$150,000.

The relocation total comes to around \$120,000, which includes approximately \$60,000 to pick it up and physically move it and put it on a new basement, in addition to about \$10,000 in site cleanup where it currently sits. Potential tenant relocation costs could be as much as \$5,000 per rental unit to evict the tenants. At the new site a Section 106 analysis could be required if using any public funding. This is estimated at \$30,000 and would include an effort of ground penetrating radar to identify the actual site of its origination so as to say exactly how far it has been moved and to put it in the proper context. This would include other things like the National Registry paperwork and recording involved in the archeological work that would be expected. The budget assumes the City of Green Bay already owns the land to which it will be put. The estimate totals about \$120,000.

The rehabilitation cost is a little difficult because no plan has been identified that specifically says the purpose of this. Two case studies were used for comparisons – one in Marinette and one in Madison. Using these comparisons and being conservative, he estimates a rehabilitation cost of \$225 per square foot. At \$225 per square foot and 4,116 square feet, the cost comes out to \$926,100.

The estimated cost of purchase, relocation, and rehabilitate comes in at \$1.195 million. This doesn't include maintenance. Chris Dunbar with the Brown County Historical Society provided some maintenance costs for Hazelwood, which is a very similar building vintage and size. Maintenance costs, which include annual repair and maintenance, utilities and insurance, plus a caretaker for 500 hours at \$10/hour gives an annual operating cost of no less than \$20,262. That does not include different things like roof or heating/ventilating/air conditioning, or exterior painting. He estimates this to be about one quarter of a million dollars in today's money every 20 years, which comes to approximately \$12,500 per year, bringing the total annual maintenance costs to about \$33,000 per year.

Some concerns are that no purpose has been identified; the building is currently not listed for sale although we have approached the owner. The building is well maintained and could be a museum quality building, but that's not the purpose that it has been serving for the last 150 years. There is no threat to the building being torn down and on the upside it has people living in it, keeping an eye on it, and it's on the tax rolls. That would change if it falls into public ownership. There could be some discussion of putting the building in the public domain, but perhaps leaving it where it is to be used as a community center or as an educational field laboratory that teaches historic building documentation conservation and rehabilitation. One final concern, if the City does purchase 412-414 N. Maple Ave., is more research should be done to see if it will hurt attractions like Hazelwood.

You're increasing the competition among historic buildings and these buildings would be competing for many of the same resources.

Ald. Steuer stated they wanted to get a handle on the tentative costs. After talking to the Neighborhood Association they were adamant about keeping it at its current location.

D. Boyce asked if the insurance costs are factored in.

J. Flatt responded a little over \$2,000 per year.

A motion was made by Ald. Steuer and seconded by R. Retzlaff to open the floor for discussion. All in favor. Motion carried.

Bill Meindl asked if this is being requested by Jim Sanderson and Ald. Zima, why neither are here. He noted that the EDA is looking for a recommendation and input from the HPC.

Ald. Steuer indicated he would like to have a direction from the Commission as to how to move forward with this.

Chris Dunbar, Brown County Historical Society, stated she was part of the group from when the guard house was going to be moved. They had quite a few meetings before Heritage Hill came forward and decided they could take it. The meetings seemed to be so many different discussions of what that building could be used for. Because of the expense of this, it is very important to have a plan as to what the building use will be. It seems stable and it seems safe right now, so maybe this doesn't have to be done in a very short time, but could be watched and looked at and discussed.

D. Doucette questioned if the recommendation from Ald. Zima was to be used as an information center for tourism. He doesn't recall another purpose being presented.

W. Townsend stated that was one of the ideas that was presented and to be close to the location of origination.

C. Dunbar stated everyone is competing for dollars in the history field. There are a lot of questions and it seems like it needs a lot more thought.

J. O'Rourke, Realtor, stated he was involved when the Fort Howard guard house was moved over to Heritage Hill. He stated it is very important to document at least the first five years of Americanization of Wisconsin and that all starts at the Fort Howard site. The only way you can document is with the ground penetrating radar. The original Fort moved up to Allouez and they built a second Fort on that site so the first five years could be found using ground penetrating radar and looking for those foundation stones that are there. They have to build retention ponds at the Larsen Green site so something should be done, whether it's an information center or simply a kiosk. It's his understanding that the proposed use for the building, if it were moved, would be as a museum for the mixed race, French Canadian and Matis Indians. There was a unique culture here about 200 years ago that was fur traders and the Indians blended families. He encouraged using the ground penetrating radar and at least document the sites before it gets fully developed.

C. Dunbar stated the Neville Museum just purchased ground penetrating radar equipment and will be doing something this summer and will also be creating an exhibit on Fort Howard, which maybe could be more of a permanent exhibit rather than just for this year.

R. Retzlaff stated the Curator at the Neville Museum has the capabilities and the qualifications to use ground penetrating radar. Ald. Steuer would like to get a report back from the Museum to the HPC on what they've done.

A motion was made by R. Retzlaff and seconded by Ald. Steuer to close the floor. All in favor. Motion carried.

Discussion followed on interest from the Oneida Nation about having that kind of museum.

Ald. Steuer stated his feeling, at this time, is to keep the building where it is currently located.

R. Retzlaff stated we have a process for local historic designation and we seem to have a willing owner. There is information and some survey materials of the building that could be put together to document the historical value. We could locally designate it so we could at least watch over the building in its current location. One of our main motivations as a Commission is to identify historic resources in the City and to keep them viable for temporary use in some way so that the building is able to remain and is able to contribute to the prosperity of the City. He thinks if we could enhance the historic recognition of this building, it could add to the success of Hazelwood and other historic properties.

Ald. Steuer agreed with that idea. As far as the building goes, he would like to have as much information about it as possible and if that means getting it locally designated it would be an important step.

J. Flatt suggested having a one-stop file for this building. There are a number of independent researchers and enthusiasts who have come up with some relatively unique piece of that historic puzzle; however, it's never been consolidated into one place.

Ald. Steuer suggested that the Commission could draft a letter to reach out to the various organizations to work on a collaborative effort for this. He would be willing to work on this.

R. Retzlaff stated they need some place to maintain historic records. A historic repository has to be developed as we proceed with projects like this and if we want to move ahead with some sort of plan for the properties associated with the Fort Howard location. Ald. Steuer agreed.

C. Dunbar stated they don't keep a lot of archives. Things are kept at the library or at the Neville. They did two archeological digs and have that information and some other information and would be happy to share. The Brown County Library has a good collection and so does the Neville. It would be good for every organization to be able to know one place where it all is.

A motion was made by R. Retzlaff and seconded by S. Ley to proceed with historic preservation of this project by initially gathering together historic data and contacting the owner about willingness to have the property designated. All in favor. Motion carried.

4. Discussion on the City of Green Bay's Legal Department drafting of a mandatory historic preservation ordinance with the intent for the City to obtain Certified Local Government status.

Ald. Steuer stated that the Commission directed the Legal Department to look at a draft ordinance. We've been pushing for Certified Local Government status and with that we need a mandatory ordinance.

Attorney Joe Faulds stated that changes provided by Jason Flatt were implemented into the ordinance and they believe it would give the City the CLG status. If the Commission believes the language is satisfactory, it is recommended to refer it to the Plan Commission for their approval.

J. Flatt provided an overview of discussions with the Legal Department regarding the revised ordinance. The language corrects internal inconsistencies between sections 13-214 and 13-1500 of the ordinances. Specifically within section 13-214, under 13-217 is the most significant proposed change as it alters the powers and duties of the Historic Preservation Commission. Owners of designated landmarks, historic buildings in Green Bay, that want to make a change on

that property must come before the HPC, but now the owner would be awarded or denied a certificate of appropriateness. Rather than having non-binding advice to the property owner, the HPC would have to give a certificate of appropriateness that the permit issuing department would have to physically see and then proceed by issuing a permit. If a property owner fails to get a certificate of appropriateness from this body and no middle ground can be reached, then the property owner does have the option to appeal the HPC decision to City Council and City Council can either side with the owner or with HPC. This process would be Certified Local Government compliant. In 13-217, the powers and duties now reflect this certificate of appropriateness tool and that's where most of the new language has been inserted.

Ald. Steuer asked if there is anything included regarding a raze waiting period.

J. Flatt reviewed the section on demolition by neglect. It states that the owner would be required to repair all conditions contributing to demolition by neglect. This body, under the proposed language, would have the authority to require the owner to repair any conditions that are contributing to demolition by neglect or this HPC, or its agents, may elect to enter the property and make repairs. It then says how the money would be recouped.

There was discussion on why there are two sections to the ordinance. Attorney Faulds stated one section establishes what the Historic Preservation Commission is and the other one defines the responsibilities of the Historic Preservation Commission and the responsibility of owners of historic properties.

J. Flatt suggested that regardless of whether or not a CLG compliant ordinance is in the works, he would still recommend revising the ordinance to get rid of internal inconsistencies. He stated this ordinance would closely follow the WI State Historical Society's model ordinance. The certificate of appropriateness tool is what the WI State Historical Society specifies in their model ordinance.

J. Flatt stated that over 40% of Wisconsin's CLG municipalities give the power to the HPC to designate individual historic properties. The others give the HPC the power to recommend designation and that recommendation has to be acted upon by Common Council. That can all be done without the consent of the owner. It is a prerequisite under current law to obtain CLG status that owner consent not be a factor when designating a building.

A motion was made by R. Retzlaff and seconded by D. Doucette to receive this and the members of the commission study it over the next month and compare it to the existing ordinance and then come back next month with any comments or corrections. All in favor. Motion carried.

S. Ley was excused.

5. Discussion on having HPC meeting minutes reported to and acted upon by the City Council.

Ald. Nennig stated that Boards and Commissions have their minutes in the Friday packets so that people who can't attend the meeting know what occurred and it also creates a record for the City. Ald. Zima had requested to have them acted upon, but the fact is we are advisory at this time.

Ald. Steuer explained that committees do the work and then it goes to Council for approval. The HPC puts their minutes in the packet, but there is no action taken on them. At this time there is no requirement for the Common Council to assent to our decisions, so by submitting those to the Common Council and having them accept the minutes as presented, they are assenting to the HPC's decisions.

Attorney Faulds stated that the changes in the ordinance would allow for that to happen. The changes take out the advisory language and would give the HPC the authority to send the minutes to Common Council. No action needs to be taken at this time. Once the ordinance is revised to satisfy CLG requirements, the Commission will report out to Council.

A motion was made by R. Retzlaff and seconded by D. Doucette to continue this discussion at the next meeting after we confirm our understanding of the revised ordinance and verify that once the new ordinance is established that there will be active reporting to Common Council such that they may assent to the decisions of the Historic Preservation Commission. All in favor. Motion carried.

6. Report by Jason Flatt on projects and initiatives from November and projected for December, including discussion of the Draft Preservation Plan. A schedule for future meetings with various neighborhood associations and other groups will be discussed as well.

J. Flatt reported that he worked on the following:

- Citizen liaison work with Lynn Adrian, owner of 616 Dousman Street, which is in the historic district. He toured the property with her and provided advice on storm windows, window frames, flooring, etc.
- Responded to an inquiry from Sue Mueller seeking information about the site of the current Neville building.
- Spoke with Chris Dunbar regarding 414 N. Maple Avenue.
- Communication with Adam Boreman at Architect Design who is working on signage on the Platten Place building. Information was provided on the ordinances regarding signage design as well as informing him he'd need to bring it before HPC.
- A Green Bay Neighborhood Leadership Council presentation in November.
- Work with the Economic Development department on the Schauer & Schumacher buildings. The City of Green Bay owns these and we're curious as to whether or not they are eligible for National Register listings. A phase one eligibility questionnaire was sent to the State Historic Preservation office.
- Toured historic properties around the City with Wendy Townsend and developer John Elke.
- State Historic Preservation Officer Jim Drager had a visit on Friday this past week. They discussed language in the new programmatic agreement between the State Historic Preservation Office and the City of Green Bay.
- A presentation will be given to the Astor Neighborhood Association on Monday, January 18, 2016, at 6:30 p.m. to talk about the proposed ordinance revisions and why historic preservation matters to them and us.
- W. Townsend stated there's been discussion on creating an inventory of the industrial building stock in Green Bay. Some of the larger municipalities are doing this for developers because a lot of times the old industrial buildings are refurbished into higher uses.
- Information was provided on a new program relating to energy efficiency (PACE). It is an energy improvement option that would cover the cost, up to 20%, of a rehabilitation project, which would pair well with the 20% federal tax credit and 20% state tax credit for a total of 60%. J. Flatt contacted the WI Association of Historic Preservation Commissions because they're looking for speakers to talk about creative financing at their upcoming meeting in April at Heritage Hill. PACE may fit well with that. The 20% that you get is then paid back through a special assessment against the property. According to the PACE equity data, the savings in energy consumption more than offset the special assessment that is paid back over a period of time. It was also mentioned there's a bill in the house on the Federal side to increase the Federal preservation tax credit from 20% to 30%. Mayor Schmitt was contacted about lobbying with Reid Ribble to possibly be a co-sponsor on that bill. The bill would also refund the Historic Preservation fund that hasn't been funded for several years.

A motion was made by R. Retzlaff and seconded by Ald. Steuer to receive and place on file. All in favor. Motion carried.

## **NEW BUSINESS:**

7. Discussion on the February 2016 "Meet and Greet".

D. Boyce has been in touch with the owner of the 1001 Club about the possibility of holding the Meet and Greet at their facility. He toured the facility with the owner and J. Flatt before the meeting. The owner of the 1001 Club said that he would accommodate us and we could choose a Sunday afternoon.

Ald. Steuer is in favor of doing this. A tentative date was set for January 31, 2016, from 4:30-8:00 p.m.

#### 8. Discussion on the May Historic Preservation Awards.

J. Mead indicated they need to get somebody in charge to handle it this year. She still has the plaque for Platten Place to deliver. It would be nice to have the plaques done ahead of time so they could give them out at the meeting.

Ald. Steuer suggested that the Commission members start to look at structures and buildings, talk with others in the community, and start to put together a list. The person in charge would need to send out a press release as well. He is hoping we'll have a new member by the next meeting and maybe that person could help with this. J. Mead has some guidelines she will print to help the person get started.

R. Retzlaff recommended 124 Chicago Street and had some other suggestions on properties that could be considered for awards. J. Flatt will bring some pictures for the next meeting.

#### 9. Review November 2015 Building Activity Report.

A brief discussion occurred. It was noted that the hospital at 835 S. VanBuren Street is technically in the National Register and technically required to come before the Commission.

A motion was made by Ald. Steuer and seconded by J. Mead to receive and place on file. Motion carried.

#### 10. Review City Raze/Repair Orders and Demolitions.

No action taken.

### **OTHER ANNOUNCEMENTS AND NEWS**

Discussion occurred regarding Assembly Bill 568, which was recently brought forward. The Bill puts the public interest at risk in local communities. It takes local control away from City's with respect to certain properties. There is a briefing on the League of Wisconsin Municipalities website. The League of Wisconsin Municipalities is opposed to the legislation. It is essential to contact all State Legislators to let them know you are opposed.

Ald. Steuer opened the floor for Jim O'Rourke to speak. He feels there is a relatively simple solution that solves about 80% of the problem with this bill. There is an issue with the difference between current law and administrative policy. We are going through the CLG status and are trying to amend local laws and local control to fit State policy. It isn't a State law. We are trying to fit the policy of the State Historic Preservation office because they want to have enforced historic regulations. He is an advocate for advisory status. He suggested following State laws and Federal laws with respect to CLG status and question the administrative policy put out by the State Historic Preservation office.



It was the consensus of the Commission to work on a resolution to have ready for the January 11, 2016, meeting. Ald. Steuer encouraged everyone to study Assembly Bill 568.

**NEXT MEETING DATE:** Monday, January 11, 2016

**ADJOURNMENT**

A motion was made by Ald. Steuer and seconded by J. Mead to adjourn. All in favor. Motion carried.